

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

NATHANIEL DWAYNE CAETANO,

Plaintiff,

v.

DEPOSITORY TRUST COMPANY and
FIDELITY LIFE INSURANCE COMPANY,

Defendants.

Case No. 1:22-cv-0679 JLT SKO

**ORDER ADOPTING IN FULL FINDINGS
AND RECOMMENDATIONS TO
DISMISS FIRST AMENDED COMPLAINT
AS FRIVOLOUS AND DENY
MISCELLANEOUS MOTIONS**

(Docs. 5, 7, 8, 9, 11)

Nathaniel Dwayne Caetano, a state prisoner proceeding *pro se* and *in forma pauperis*, filed an amended complaint against Depository Trust Company and Fidelity Life Insurance Company. (*See* Doc. 4.) Plaintiff also filed an “Application for Right to Attach Order,” “Temporary Protective Order Application,” requests for joinder, the entry of an “indemnification bond,” and issuance and service of summonses. (Docs. 5, 7, 8, 9.)

The assigned magistrate judge screened the complaint and found Plaintiff failed to state a claim. (Doc. 11.) Specifically, the magistrate judge found that the amended complaint was frivolous and based on meritless legal theories, including sovereign citizen ideology. (*See id.* at 4–5.) Therefore, the magistrate judge recommended the amended complaint be dismissed without leave to amend. (*Id.* at 6.) Plaintiff was granted 21 days in which to file objections to the findings and recommendation. (*Id.*) No objections have been filed, and the time to do so has passed. However, the Court notes that Plaintiff appealed the Findings and Recommendations, and the

1 Ninth Circuit dismissed the appeal for lack of jurisdiction on September 22, 2022. (Docs. 12, 15.)

2 According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of the case.

3 Having carefully reviewed the entire file, the Court concludes that the Findings and

4 Recommendation are supported by the record and proper analysis. Thus, the Court **ORDERS**:

5 1. The Findings and Recommendations issued August 2, 2022 (Doc. 2) are

6 **ADOPTED IN FULL.**

7 2. This complaint is **DISMISSED** without leave to amend.

8 3. Plaintiff's remaining requests (Docs. 5, 7, 8, 9 and 16) are denied as **MOOT**.

9 4. The Clerk of Court is directed to **CLOSE** this case.

10
11 IT IS SO ORDERED.

12 Dated: **September 29, 2022**


UNITED STATES DISTRICT JUDGE